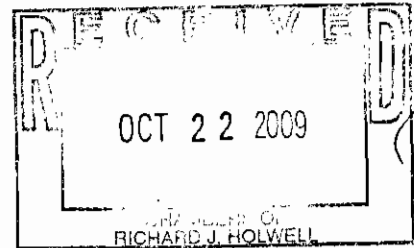


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- X
NEOMEDIA TECHNOLOGIES, INC.,

Plaintiff,

Civil Action No. 04 Civ. 3026 (RJH)

vs.

SCANBUY, INC.,

DISMISSAL

Defendant.
----- X

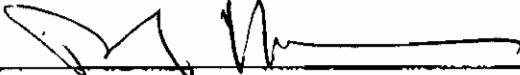
Plaintiff NeoMedia Technologies, Inc. and Defendant Scanbuy, Inc., having reached agreement on a settlement of the claims brought and which could have been brought in this action, hereby agree to the dismissal of all pending claims and counterclaims brought against each other and, based upon this Stipulation of the parties,

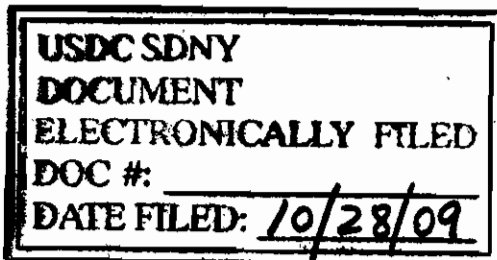
IT IS HEREBY ORDERED, in accordance with Federal Rule of Civil Procedure 41(a)(1), as follows:

1. All claims and counterclaims brought by the parties against each other in this Civil Action are dismissed with prejudice; and
2. Each party shall bear its own costs and attorneys' fees.

SO ORDERED.

Dated: October 26, 2009


Richard J. Holwell
United States District Judge



*The Clerk is requested to
close this case.*
[Signature]

AGREED TO:

Dated: October 19, 2009

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Dated: October 19, 2009

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